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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.		
10/020,143	12/13/2001	Andrew C. Alduino	42390.P11010	6618		
7:	590 05/10/2005		EXAM	INER		
Charles K. Young BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP			HUGHES, DI	HUGHES, DEANDRA M		
Seventh Floor	Mobori, mibok u	ART UNIT	PAPER NUMBER			
12400 Wilshire Boulevard			3663			
Los Angeles, CA 90025-1026			DATE MAILED: 05/10/2005			

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

7

Application No.	Applicant(s)	
10/020,143	ALDUINO ET AL.	
Examiner	Art Unit	
Deandra M Hughes	3663	

Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Deandra M Hughes	3663	
The MAILING DATE of this communication appe	ears on the cover sheet with the c	orrespondence add	ress
THE REPLY FILED 19 April 2005 FAILS TO PLACE THIS APP	LICATION IN CONDITION FOR AL	LOWANCE.	
1. The reply was filed after a final rejection, but prior to filing must timely file one of the following replies: (1) an amend condition for allowance; (2) a Notice of Appeal (with appe Examination (RCE) in compliance with 37 CFR 1.114. The	ment, affidavit, or other evidence, weal fee) in compliance with 37 CFR of ereply must be filed within one of t	vhich places the appl 41.31; or (3) a Reque	ication in est for Continued
a) The period for reply expires 3 months from the mailing date			
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I	ater than SIX MONTHS from the mailing	g date of the final rejecti	ion.
Examiner Note: If box 1 is checked, check either box (a) or TWO MONTHS OF THE FINAL REJECTION. See MPEP 7	(b). ONLY CHECK BOX (b) WHEN THE 06.07(f).	FIRST REPLY WAS F	ILED WITHIN
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	tension and the corresponding amount shortened statutory period for reply origi r than three months after the mailing da	of the fee. The approprinally set in the final Offi	iate extension fee ice action; or (2) as
2. The reply was filed after the date of filing a Notice of Appewas filed on A brief in compliance with 37 CFR 4 Appeal (37 CFR 41.37(a)), or any extension thereof (37 Chas been filed, any reply must be filed within the time per AMENDMENTS	1.37 must be filed within two month CFR 41.37(e)), to avoid dismissal of	s of the date of filing	the Notice of
3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co			ecause
(b) ☐ They raise the issue of new matter (see NOTE belo (c) ☐ They are not deemed to place the application in be		ducing or simplifying	the issues for
appeal; and/or (d) ☐ They present additional claims without canceling a NOTE: (See 37 CFR 1.116 and 41.33(a)).		ected claims.	
4. The amendments are not in compliance with 37 CFR 1.1		mpliant Amendment	(PTOL-324).
5. Applicant's reply has overcome the following rejection(s)			•
 Newly proposed or amended claim(s) would be all non-allowable claim(s). 			
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows:		l be entered and an e	explanation of
Claim(s) allowed:			
Claim(s) objected to: Claim(s) rejected:			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, bu because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e). 			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessar	overcome all rejections under appea	al and/or appellant fai	ils to provide a
10. The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attach	ned.
11. The request for reconsideration has been considered by See Continuation Sheet.	t does NOT place the application in	n condition for allowa	nce because:
12. ☐ Note the attached Information Disclosure Statement(s).13. ☐ Other:	(PTO/SB/08 or PTO-1449) Paper N	lo(s)	
is. 🗀 Ouler		~ -	
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Advisory Action Before the Filing of an Appeal Brief

Deandra M. Hughes (571) 272-2692

Continuation of 11. does NOT place the application in condition for allowance because: Applicant argues the following: (A) Kasamatsu does not disclose emisison of lighting in a direction SUBSTANTIALLY TRANSVERSE to a direction of propagation of the optical signal through the waveguide (pg. 6, lines 9-12). (B) The exciting ray, 17, of Kasamatsu crosses the single mode wavguide due to reflection (pg. 6, lines 12-13). (C) The exciting rays of Kasamatsu are clearly illustrated as co-propagating in figures 5-7 (pg. 6, lines 17-19).

Argument (A) is found not convincing because Kasamatsu discloses in col. 3, line 35 (as was noted in the Final rejection dated 1/14/05) that the exciting light propagates in both a width direction and a thickness direction. The Examiner considers the width direction to be the transverse direction. Argument (B) is found not convincing because ALL light propagate in waveguides by reflecting off of the core/cladding interface. Otherwise the wave will cease to be guided, i.e., the light will escape. Merely noting that the exciting ray is guided in the fiber via reflection does not show how Kasamatsu teaches away from the claimed invention. Further, the embodiment shown in figure 4 clearly outlines an exciting ray, #115, which is emitted from a laser diode, entering the TAPERED waveguide (see Kasamatsu, col. 3, line 51). Argument (C) is found not convincing because the waveguides #21 in figure 5 are clearly abutted to the single mode waveguide at an angle..

THOMAS H. TARCZA

TUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

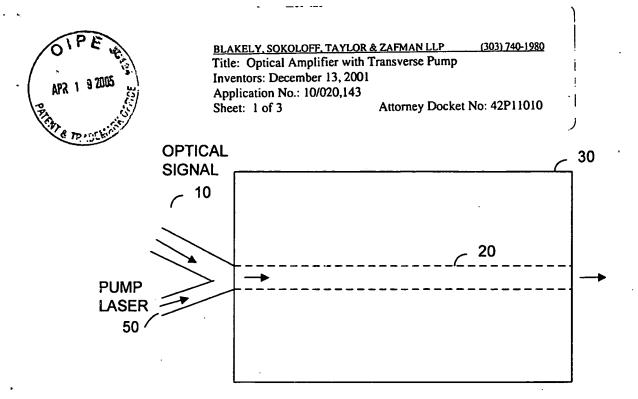


FIG. 1 (PRIOR ART)

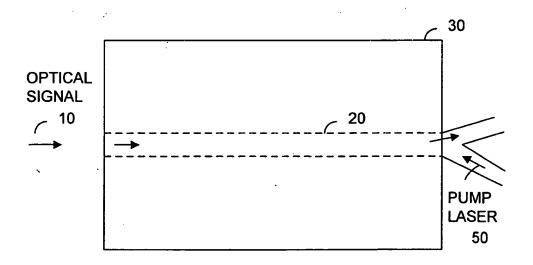


FIG. 2 (PRIOR ART)

or to ender